

STATE OF CALIFORNIA  
FISH AND GAME COMMISSION  
STATEMENT OF REASONS FOR REGULATORY ACTION  
(Pre-Adoption Statement of Reasons)

Amend Section 27.80  
Title 14, California Code of Regulations  
Re: Ocean Salmon Sport Fishing

- I. Date of Initial Statement of Reasons: December 9, 2004
- II. Date of Pre-adoption Statement of Reasons: March 14, 2005
- III. Dates and Locations of Scheduled Hearings:
- (a) Notice Hearing: Date: February 4, 2005  
Location: San Diego, CA
- (b) Discussion Hearing: Date: March 18, 2005  
Location: Oakland, CA
- (c) Adoption Hearing: Date: May 5, 2005  
Location: Sacramento, CA
- IV. Description of Modification of Originally Proposed Language of Initial Statement of Purpose:

At the time of drafting the Initial Statement of Reasons, the Pacific Fishery Management Council (PFMC) had not yet initiated its annual ocean salmon regulatory process. Therefore, only a general description of the possible management options that might be utilized by the PFMC were included (i.e., size limits, bag limits, area quotas, gear restrictions, and season limitations).

During March 7-11, 2005, the PFMC met and proposed four recreational ocean salmon regulatory options for public review. Under all four options, the season structure is similar to current regulations except as follows:

For all areas in 2006, the opening dates between Horse Mountain and Point Arena will be February 18 and below Point Arena will be April 1.

Option 1

Seasons: For north of Horse Mountain and Humboldt Bay (Klamath Management Zone), the season length is decreased 47 days due to a later season opener and a mid season closure for most of July and early August. The area between Horse Mountain and Point Arena (Fort Bragg) has the same season length. The area between Point Arena and Pigeon Point (San Francisco) has 14 more days due to an earlier season opener. The area between Pigeon Point and the U.S./ Mexico border (Monterey) has 7 less days due to an earlier season closure.

Option 2

Seasons: For north of Horse Mountain and Humboldt Bay (Klamath Management Zone), the season length is decreased 47 days due to a later season opener and a mid season closure for most of July and early August. The area between Horse Mountain and Point Arena (Fort Bragg) has 10 less days due to two closures in July. The area between Point Arena and Pigeon Point (San Francisco) has 14 more days due to an earlier season opener. The area between Pigeon Point and the U.S./ Mexico border (Monterey) has 7 less days due to an earlier season closure.

#### Option 3

Seasons: For north of Horse Mountain and Humboldt Bay (Klamath Management Zone), the season length is decreased 56 days due to a later season opener and closures in late June, most of July and early August. The area between Horse Mountain and Point Arena (Fort Bragg) has 18 less days due to a mid season closure in late July and early August. The area between Point Arena and Pigeon Point (San Francisco) has 3 more days due to an earlier season opener and an 11 day July closure. The area between Pigeon Point and the U.S./ Mexico border (Monterey) has 18 less days due to an earlier season and early July closures.

#### Option 4

Seasons: For north of Horse Mountain and Humboldt Bay (Klamath Management Zone), the season length is decreased 34 days due to a later season opener and a mid season closure for most of July. The area between Horse Mountain and Point Arena (Fort Bragg) has the same season length. The area between Point Arena and Pigeon Point (San Francisco) has 14 more days due to an earlier season opener. The area between Pigeon Point and the U.S./ Mexico border (Monterey) has 7 less days due to an earlier season closure.

#### V. Reasons for Modification of Originally Proposed Language of Initial Statement of Reasons:

The regulation options presented in this statement were developed by the PFMC during the week of March 7-11, 2005.

General Stock Status Information. Fishing opportunities are greatly reduced compared to 2004 due to predicted low ocean abundances of Klamath River fall chinook for 2005. All Options are expected to meet the PFMC's Klamath River fall chinook management objective of at least 35,000 adults returning to spawn in natural areas and Sacramento River fall chinook management goal of 122,000 to 180,000 natural and hatchery adult spawners. All Options are expected to meet the NMFS jeopardy standard established for threatened California coastal chinook: an age-four ocean harvest rate no greater than 16 percent on Klamath River fall chinook and satisfy the NMFS 2004 Biological Opinion for endangered Sacramento River winter chinook which requires the recreational fisheries south of Point Arena to open the first Saturday in April with a minimum size limit of twenty inches.

#### Option 1

This option is due to the very low ocean abundance forecast of Klamath River fall chinook and a 15% share allocation for the Klamath Basin in-river sport fisheries.

#### Option 2

This option is due to the very low ocean abundance forecast of Klamath River fall chinook and a 15% share allocation for the Klamath Basin in-river sport fisheries.

#### Option 3

This option is due to the very low ocean abundance forecast of Klamath River fall chinook and a 20% share allocation for the Klamath Basin in-river sport fisheries with the reduction in ocean fisheries taken equally out of the California's commercial and recreational fisheries.

Option 4

This option is due to the very low ocean abundance forecast of Klamath River fall chinook and a 10% share allocations for the Klamath Basin in-river sport fisheries with the increase in ocean fisheries added equally to the California's commercial and recreational fisheries.

VI. Summary of Primary Considerations Raised in Opposition and in Support:

To date, no oral or written comments have been received from the public in opposition to or in support of the proposed action.

### Updated Informative Digest/Policy Statement Overview

The Pacific Fishery Management Council (PFMC) annually reviews the status of west coast salmon populations. As part of that process, it recommends ocean fishing regulations aimed at meeting biological and fishery allocation goals specified in law or established in the Salmon Fishery Management Plan.

The PFMC is expected to adopt regulation recommendations, similar to recent years, for the recreational ocean salmon fisheries in Federal waters (3 to 200 miles offshore) off the states of Washington, Oregon, and California for 2005. The various alternatives the PFMC will examine in the process of adopting the management options on March 11, 2005, for public review may include:

1. the minimum size of salmon that may be retained;
2. the number of rods anglers may use (e.g., one, two, or unlimited);
3. the type of bait and/or terminal gear that may be used (e.g., amount of weight, hook type, and type of bait or no bait);
4. the number of salmon that may be retained per angler-day or period of days;
5. the definition of catch limits to allow for combined boat limits versus individual angler limits;
6. the allowable fishing dates and areas; and
7. the overall number of salmon that may be harvested, by species and area.

The final regulation recommendations will be made by the PFMC on April 8, 2005. Upon approval of the PFMC's management recommendations by the Secretary of Commerce, the State must move in a timely manner to conform its ocean sport fishing regulations for salmon in State waters (0 to 3 miles offshore) to those agreed upon by the PFMC; otherwise preemption of State regulatory authority by the Secretary of Commerce may occur. **The federal regulations are expected to be implemented effective May 1, 2005.**

**The Initial Statement of Reasons reflected the range of possible management measures that will be considered for 2005. At the PFMC's March 7-11, 2005 meeting, four options were developed that will consider specific changes from current regulations. The following options are due to very low ocean abundance forecast of Klamath River fall chinook and different catch allocations for Klamath Basin in-river fisheries.**

**Under all four options, the season is similar to current regulations except as follows: In all options for 2006, the opening dates between Horse Mountain and Point Arena will be February 18 and below Point Arena will be April 1.**

#### **Option 1**

**Seasons:** For north of Horse Mountain and Humboldt Bay (Klamath Management Zone), the season length is decreased 47 days due to a later season opener and a mid season closure for most of July and early August. The area between Horse Mountain and Point Arena (Fort Bragg) has the same season length. The area between Point Arena and Pigeon Point (San Francisco) has 14 more days due to an earlier season opener. The area between Pigeon Point and the U.S./ Mexico border (Monterey) has 7 less days due to an earlier season closure.

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